

PLANNING AND ZONING COMMISSION  
Monday, January 14, 2008 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon and Mr. Wynkoop.

Mr. Graber made a motion to excuse Mr. Vasko. Ms. Solomon seconded the motion. The motion passed unanimously.

Mr. Christensen welcomed Mr. Knowlton and Dr. Konold to the Planning and Zoning Commission.

Approval of Minutes

Mr. Wynkoop made a motion to approve the minutes of the December 10, 2007 regular meeting as presented. Mr. Graber seconded the motion. The motion passed, 4-0-2, with Mr. Knowlton and Dr. Konold abstaining.

Mr. Graber made a motion to go into executive session to discuss officers for this year. Dr. Konold seconded the motion. Time out 7:02 p.m.

Mr. Christensen called the meeting back to order. Time in 7:07 p.m.

Dr. Konold made a motion to elect Mr. Christensen as Chairman. Ms. Solomon seconded the motion. The motion passed 5-0-1 with Mr. Christensen abstaining...

Dr. Konold made a motion to elect Mr. Wynkoop as Vice-Chair. Ms. Solomon seconded the motion. The motion passed 5-0-1 with Mr. Wynkoop abstaining.

Dr. Konold made a motion to elect Mr. Graber as Secretary. Ms. Solomon seconded the motion. The motion passed 5-0-1 with Mr. Graber abstaining.

Public Comment

Jeffery Bond, 36 Washington Street, stated that our area is already overcrowded with retail and we should select the commercial businesses being added to our community carefully.

Administration of Public Oath

Mr. Christensen administered the public oath.

Pending Applications

Application #PSP-07-03 Property Owner Waterloo Crossing Ltd. and Applicant Burger King, for property located at 6374 Gender Road, are requesting a Preliminary Site Plan approval for a 2,640 square foot Burger King restaurant. Allan Neimayer, Planning and Zoning Administrator,

gave the staff report. Will Wannemacher, representing Burger King, was present to answer questions from the Commission.

Mr. Wannemacher first apologized for the tactics that were taken by Burger King's attorney's to get approval of the Conditional Use for the drive thru. He hoped that it will all be water under the bridge. In terms of staff's recommendations, he is willing to meet all of them.

Mr. Graber asked Mr. Wannemacher to explain the location of the dumpsters. Mr. Wannemacher explained that the dumpsters will need to be moved two or three feet back. You agreed with staff you cannot have cars parked in front of the dumpster stall as it will interfere with trash trucks. Mr. Graber then asked if Mr. Wannemacher is concerned that the garbage truck will block the sidewalk, even if just for a short period. He also asked if anyone else had concerns that the dumpsters are so close to the building. He would rather see them in the back of the parking lot. Also he does not want to see the dumpster as the first thing you see on the building. Mr. Graber asked what the dumpster screening was going to be. Mr. Wannemacher stated the enclosure will be brick and right behind the building.

Mr. Christensen asked if they are okay with the decreased number of parking spaces. Mr. Wannemacher said they would reduce the parking spaces and add a landscaped island where spaces on the north side used to be in addition to removing spaces in front of the dumpster.

Mr. Christensen asked if there were any thoughts on the building accents. Mr. Wannemacher said that he will bring in some options with the Final Site Plan application.

Mr. Graber asked if the sidewalk is to be extended to the existing bike path along Gender Road. Mr. Wannemacher stated yes it will. The commission suggested that it be removed due to safety concerns. Following a discussion on this matter Mr. Wannemacher agreed to remove this sidewalk extension.

Mr. Knowlton asked why there was so little landscaping on the south side. Mr. Wannemacher stated that they concentrated on the north end because of the screening of the headlights. This will not be a problem on the south side because of the drive thru. Mr. Knowlton would like to see additional landscaping along the south property line. Mr. Graber would like to see more landscaping in the southwest corner of the property.

Mr. Graber asked if the parking lot would be using extruded curb. Mr. Wannemacher stated that the curbing is a straight 18-inch curb, except for at the sidewalk.

Mr. Solomon asked if awnings could be added to the drive thru windows. Mr. Wannemacher said those could be added.

Mr. Graber made a motion to approve application #PSP-07-03 with the following conditions:

1. All items under Section 1141.06 of Zoning Code, revised November 21, 2005, shall be included with the Final Site Plan submittal.
2. Provide additional accent material to the building exterior along with the proposed brick.
3. Provide color elevations with the Final Site Plan submittal.
4. Indicate the location of the trash dumpster including screening materials.

5. Engineering construction plans to be submitted to the Technical Review Group for review and approval: details on connection to existing water and sanitary sewer service lines.
6. Reduce the number of parking spaces from 44 to 36 with the land to be replaced with green space.
7. Removal of the future connection point in the northwest corner of the property. If connectivity to the undeveloped property to the north is desired, provide a shared access drive and shared parking with the undeveloped property to the north.
8. Provide additional screening on the west side of the property to screen the drive thru lane from Gender Road and on the east side of the property to screen drive thru lane headlights from the existing private drive to the east of the site.
9. Signs indicated in the Preliminary Site Plan application are not approved. Proposed signage shall be reviewed and approved administratively after the Final Site Plan has been approved.
10. All curbing shall be 18 inch straight curb.
11. Remove the sidewalk connection to Gender Road.
12. Add awnings to the drive thru windows.

Mr. Wynkoop seconded the motion. The motion passed unanimously.

Old Business – None.

New Business

1. David and Shirley Dowden, regarding Variance #VA-04-05 for a property at 955 Groveport Road. Mr. Neimayer explained the variance, which was approved in 2004. He then updated the Commission on the property owner's plans for constructing their home on the property. The Dowdens will combine the 30-foot wide strip of land per condition of the variance approval with an additional land area for a wastewater treatment system to be approved by the Franklin County Board of Health. This land area will then be combined with the main lot (955 Groveport Road) so there will only be one building lot. The Dowdens are currently having the property surveyed in order to file for a Lot Spit.
2. Alec Land was present to discuss Condition #2 of Variance #VA-07-03 for property at 1037 Groveport Road. Andrew Dutton, Zoning Officer, updated the Commission on what Mr. Land is now requesting. One of the conditions of the variance was that it would not be used commercially. Mr. Land now wants to use the property commercially to board other people's horses as well as his own. Mr. Land would have to formally request the Commission to amend the original variance.

Mr. Graber asked how many horses are currently there. Mr. Land stated three. Mr. Graber then asked how many additional horses he would be boarding. Mr. Land stated a total of eight horses. Mr. Graber asked if he had enough stalls for that. Mr. Land stated no. If Commission approves this request, he would have to modify the structure.

Mr. Christensen inquired to Mr. Hollins if this could be a home occupation. Mr. Hollins stated that if he understood correctly there is no one living on the property. Mr. Land stated that there is a tenant home on the property.

Mr. Hollins and Mr. Neimayer discussed Mr. Land proceeding with an amendment to the original variance, a Conditional Use application for a Home Occupation and a sign variance.

#### Planning and Zoning Administrator's Report

Mr. Neimayer passed around an updated Commission Member list and asked the members to verify their information.

Council will have a couple of Public Hearings. The first, on January 22, 2008, is on Tim Spencer's rezoning. Mr. Christensen will attend that meeting to represent the Planning and Zoning Commission. The second public hearing, on February 4, 2008, is on Byers Auto. Mr. Christensen will also be attending that meeting to represent the Commission.

Mr. Neimayer explained that dates are needed for a joint work session with the Landmarks Commission. Please give him some dates in the first three weeks of February.

The Commercial Development Standards need to be adopted. Mr. Neimayer asked if the Commission would like to have another discussion on the proposed standards or to move forward with a public hearing. The Commission agreed schedule a public hearing at the February 11 Commission meeting.

Samir Kulkarni of KCDG has requested a committee meeting for either Friday January 25 or Thursday the January 24. Mr. Neimayer asked Ms. Solomon and Mr. Wynkoop know which date works better. Mr. Neimayer will follow up with Mr. Vasko on his availability.

John Christiansen owns the property at the northeast corner of West Waterloo Street and Chesterville Drive. Mr. Christiansen would like to know if it would be more appropriate to have his property zoned AR-1. Some Commission members stated with that area being part of the entry corridor to downtown they were not sure that a duplex on the corner lot was the best thing to go there. Mr. Neimayer stated that he would forward their comments onto to Mr. Christiansen. Other comments were raised on the type of development. Mr. Neimayer stated the quality and type of development would be regulated under the site development process through the Planning and Zoning Commission.

#### Adjournment

Mr. Graber made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Dr. Konold seconded the motion. The motion passed unanimously.

Time Out: 8:21 p.m.

Date \_\_\_\_\_

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Bill Christensen, Chairman

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Jeff Graber, Secretary